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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : No. 10/754,323 Confirmation No. 7488
 Applicants : Sareyka et al. Art Unit: 3633
 Filed : January 9, 2004
 Title : STAB-IN CONNECTOR
 Examiner : Jeanette E. Chapman
 Attorney
 Docket No. : 0326

AFFIDAVIT OF GALE E. SAUER

STATE OF NEW YORK :
 :SS
 COUNTY OF CHAUTAUQUA :

I, GALE E. SAUER, being first duly sworn, depose and say as follows:

1. I am the inventor of the subject matter disclosed in Sauer U.S. Patent 3,746,379 (Sauer '379), cited in the rejection of the U.S. Patent Application 10/754,323 (subject '323 application) identified above.

2. I have had over 37 years of research and development experience in the ceiling grid industry, with which the Sauer '379 patent, and the subject '323 application, are involved.

3. I have over thirty patented inventions in the ceiling grid industry.

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4. I have worked for many of the firms in this industry. Over the years many of these firms have merged, so that at present they are relatively few in number. At one time, I worked as a consultant to Werthington Armstrong Venture (WAVE), the assignee of the subject '323 application.


5. I am now retired, and have been for 5 years.

6. I am familiar with many patents relating to the ceiling grid industry, including my own Sauer '379 patent and the Lickliter 3,675,957 (Lickliter '957) patent.

The Lickliter '957 patent was also cited in the rejection of the subject '323 application.

I am also familiar with many products made and sold over the years, in the ceiling grid industry.

7. The attached statement is true to the best of my information and belief.


Gale E. Sauer

Sworn to and subscribed before me this 2nd day of April, 2010.



BRENDA J SWANSON
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SW6143917
Qualified in Chautauqua County
My Commission Expires April 24, 2010

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STATEMENT

I have read, and studied, and understand, the following:

1. U. S. Patent Application No. 10/754,323 (subject '323 application), filed January 9, 2004, for STAB-IN CONNECTOR..
2. An Office Action dated September 29, 2009 rejecting the subject '323 application in view of Sauer Patent 3,746,379 (Sauer '379), of which I am the inventor, and/or Lickliter et al 3,675,957 (Lickliter '957).
3. An Amendment dated March 11, 2010.
4. The Sauer '379 and the Lickliter '957 patents.

The subject '323 application, at great length, discloses with words, charts, and figures, the invention now claimed, and the benefits secured from such invention. The invention is directed to a connector, used in a ceiling grid, with a locking latch that first extends from a flat base in a curve, and then as a straight lever.

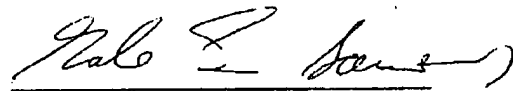
My cited Sauer '379 patent was assigned to Flangeklamp Corporation, where I worked at the time the Sauer '379 patent issued. I was, and am familiar with, the subject

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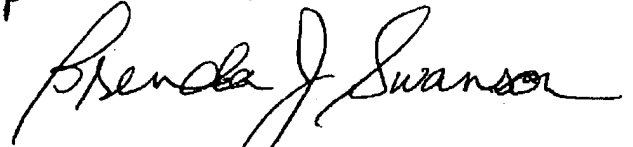
matter of the Licklitter '957 patent, which also issued during the time I worked at Flangeklamp.

In my opinion, the subject matter disclosed and claimed in the subject '323 application was not obvious to one skilled in the ceiling grid industry in view of the Licklitter '957 patent alone or combined with Sauer '379.



Gale E. Sauer

Sworn to and subscribed before me this 2nd day of April 2010.



BRENDA J SWANSON
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